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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
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12 GENERAL ATOMICS, DIAZYME
13 LABORATORIES DIVISION, a California
corporation,

14 Plaintiff,

15 v.

16 AXIS-SHIELD ASA, a Norway corporation,

17 Defendant.

18 AND ALL RELATED ACTIONS
19

Case No. 3:05-cv-04074 SI

**STIPULATION AND [PROPOSED]
ORDER RE: AXIS-SHIELD'S
ANSWER AND COUNTERCLAIM
TO THE AMENDED COMPLAINT**

Judge: The Honorable Susan Illston

20 IT IS HEREBY STIPULATED by and between the parties to this action through their
21 undersigned counsel as follows: (1) That the Answer and Counterclaim filed by Axis-Shield
22 ASA ("Axis-Shield") on October 27, 2005, shall be deemed the Answer and Counterclaim to the
23 Amended Complaint filed by General Atomics, Diazyme Laboratories Division ("General
24 Atomics") on March 1, 2006, and that all new allegations of the Amended Complaint are
25 specifically denied by Axis-Shield; (2) That the Amended Answers of General Atomics and
26 Carolina Liquid Chemistries Corporation to the Counterclaim of Axis-Shield shall remain in force
27 and effect; and (3) That the Stipulation and Order relating to the dismissal with prejudice of all
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claims and counterclaims relating to United States Patent No. 5,827,645 and United States Patent No. 6,063,581 shall remain in force and effect.

Dated: March 22, 2006

VOSS, COOK & THEL LLP

By: /s/ Paul C. Nyquist

Paul C. Nyquist

Francis T. Donahue

Attorneys for Defendant/Cross-Complainant

AXIS-SHIELD ASA

Dated: March 22, 2006

PRESTON GATES & ELLIS LLP

By: /s/ Timothy P. Walker

Timothy P. Walker

Elaine Y. Chow

Attorneys for Defendant/Cross-Complainant

AXIS-SHIELD ASA

Dated: March 22, 2006

MORRISON & FOERSTER LLP

By: /s/ Steven E. Comer

Steven E. Comer

David C. Doyle

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Jason A. Crotty

Attorneys for Plaintiff

GENERAL ATOMICS, DIAZYME

LABORATORIES DIVISION and

Counterdefendant-counterplaintiff

CAROLINA LIQUID CHEMISTRIES

CORPORATION

[PROPOSED] ORDER

IT IS SO ORDERED.

Dated: _____

United States District Judge



The Honorable Susan Illston

General Order 45 Attestation

I, Paul C. Nyquist, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Dismissing '645 and '581 Patents with Prejudice. In compliance with General Order 45, X.B., I hereby attest that Timothy P. Walker and Steven E. Comer have concurred in this filing.

/s/ Paul C. Nyquist
Paul C. Nyquist